IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.16461 of 2006

DATE OF DECISION: October 17, 2006

M/s Y.P. Plastic & Engg. Works

….Petitioner

VERSUS

Haryana State Industrial & Infrastructure Development Corporation Ltd.

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri J.S.Maanipur, Advocate for the petitioner.

Viney Mittal,J.(Oral).

Notice of motion to the respondents.

On the asking of Court, Shri Ashok Jindal, Additional Advocate General, Haryana accepts notice on behalf of the respondents.

Copies of the writ petition have been supplied to the learned counsel for the respondents.

The petitioner is aggrieved against the order dated April 27, 2006 (Annexure P.12), whereby the plot in question belonging to the petitioner had been ordered to be resumed on account of non construction on the said plot.

The aforesaid order has been challenged by the petitioner by filing an appeal dated July 18, 2006 (Annexure P.14) alongwith an application for interim relief.

From the perusal of the record and averments made in the present petition, we find that although the appeal has been filed on July 18, 2006 before the Appellate Authority and prayer for interim order has also been made but neither the appeal has been decided so far by the appellate authority nor any orders have been passed on the interim relief.

The petitioner claims that the claim made by them is covered by a judgment dated September 21, 2006 passed by this Court in CWP No.14800 of 2006 (Veena Sharma and another v. Haryana State Industrial & Infrastructure Development Corporation Ltd. and another). A copy of the aforesaid judgment has been appended as Annexure P.17 with the present petition.

In this view of the matter, without going into the merits of the claim made by the petitioner, we dispose of the present petition with a direction to the Appellate Authority to take a final decision on the appeal filed by the petitioner within a period of six months from the date a certified copy of this order is received, by passing a detailed and speaking order.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

October 17, 2006
KD

(H.S. Bhalla)
Judge